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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/553,482

10/17/2005

Anne Catherine Morales

REGIM 3.3-067

1165

530 7590 10/23/2008
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

THOMAS, DAVID C

ART UNIT

PAPER NUMBER

1637

MAIL DATE

DELIVERY MODE

10/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10553482 | 10/17/2005 | MORALES ET AL. | REGIM 3.3-067 |

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

DAVID C. THOMAS

| ART UNIT | PAPER |
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| 1637 | 101705-2 |
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Commissioner for Patents

The timely submission filed on July 31, 2008 includes a response to the restriction requirement of March 31, 2008. Applicant's election of Group I is acknowledged. However, there are several problems regarding the nucleotide sequences, as discussed in more detail below. In brief, these include failure to respond to the sequence restriction according to the Office Action of March 31, 2008. In addition, our sequence search office (STIC) has indicated that there is a problem with the disk containing the file of the sequence listing. Finally, the SEQ ID numbers cited in claim 15 appear to be identified incorrectly. Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office Action, Applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supercedes the time period set in the prior Office Action. This time period may be extended pursuant to 37 CFR 1.136(a).

Applicant failed to respond to the requirement to elect a single sequence from Group III, the individual SEQ ID NOS: 1 and 2 generic to claim 14. Election of a single sequence is required at this time.

The CRF Problem Report of June 7, 2007 indicates that something other than the sequence file was copied onto the disk (CRF, computer readable form). To perform a proper sequence search, a CRF containing the complete sequence listing is required. Applicant indicated in the letter of 5/8/2007 that a CRF containing the sequences was filed with a related PCT filing. However, our sequence search office has no record of a CRF for this PCT. Therefore, a new CRF with the sequence listing is required at this time.

Claim 15 cites the use of a primer pair consisting of SEQ ID NOS: 4 and 5. However, the sequence listing indicates SEQ ID NO: 4 is a synthetic cDNA of 161 nucleotides. Correction of the claims is requested.

David C. Thomas
Patent Examiner
Art Unit 1637

/Kenneth R Horlick/
Primary Examiner, Art Unit 1637